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Minutes

BBRS Building Code Appeals Board (BCAB)

Meeting Location: Taunton District Office, 1380 Bay Street, Taunton, MA

Meeting Date: October 2, 2014

Meeting Time: 9:30 a.m.

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1. Meeting called to order by the Chairman, Harry Smith, at 9:30 a.m. followed by roll call:

Board Members Present:

Sandy MacLeod

Harry Smith, Chairman

Jen Hoyt

Board Members Not Present:

None

There were seven (7) cases on the docket scheduled each 30 minute period, beginning at 9:30 a.m. and running until approximately 1:15 p.m. The three board members identified above served each case; guests varied with each case. A copy of the sign-in sheet for each case is appended to these minutes to identify attendees.

Guests Present:

See sign-in sheet for each case.

2. September 16, 2014 meeting minutes approved.
3. **Case Number:** 14-1374
Appellant: Kevin Paton, BKA Architects, Inc.
Address of Property: 278-292 Washington St., 12 & 16-20 Swanton St., Winchester, MA.
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Section 602.1 This case was a continuance from a prior hearing held on May 1, 2014.

On a **MOTION** by Jen Hoyt and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted that we **CONTINUE** the hearing and order the appellant to send the board a copy of the decision from the Zoning Board stating that their appeal was granted. They must also provide a letter from the owner or his attorney providing evidence that he is not opposed.

4. **Case Number:** 14-1421
Appellant: Chief Robert D. Silva for Cohasset Fire Department
Address of Property: 19 Lighthouse Lane, Cohasset, MA. 02025
Summary of Case: The appeal concerned the fire chief of the town opposing the building commissioner's determination of the occupant load for a sailing club.

On a **MOTION** by Sandy MacLeod and **SECONDED** by Harry Smith, it was a **TWO TO ONE** vote, Jen Hoyt was opposed, **that the building official's determination of the code in relation to occupant load is correct.** The owners/managers of the sailing club must make sure that the occupancy remains under (100) one hundred.

Case Number: 14-1422
Appellant: Mark Bourassa for Univ-Station Senior Housing LLC
Address of Property: 140 University Avenue, Westwood, MA. 02090
Summary of Case: The appeal concerned 2009 IBC (*International Building Code*) Section 710.5 & 1008.1.9.6. The appellant is seeking a variance from the above sections of the code for the purpose of providing additional safety for the unique condition of memory impaired residents.

List of Exhibits:

- Exhibit 1.** Application dated August 11, 2014.
Exhibit 2. 1 page letter to the BBRS from the Building Commissioner stating no opposition to appeal dated September 30, 2014

On a **MOTION** by Sandy MacLeod and **SECONDED** by Harry Smith, it was a **TWO TO ONE** vote, Jen Hoyt was opposed, **to grant a variance to Section 710.5**, not allowing vision panel doors and to **grant a variance to Section 1008.1.9.6** for 2 fifteen second delayed egress doors.

5. **Case Number:** 14-1423
Appellant: Donald Lang for Russian School of Mathematics
Address of Property: 376 Washington Street, Wellesley, MA. 02481
Summary of Case: The appeal concerned IBC 304.1. The appellant is appealing the proposed use group classification. The building commissioner classified it as "E" and the appellant feels the use group classification should be "B" Business use.

List of Exhibits:

- Exhibit 1.** Application not dated. Received August 28, 2014.
Exhibit 2. 304.1 code clarification, 2 pages

On a **MOTION** by Jen Hoyt and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted to **APPROVE** the use group "B" Business in accordance with IBC 304.1, to uphold the appellant.

6. **Case Number:** 14-1425
Appellant: David Lawler, Esq. for Osprey Point Corp
Address of Property: 20 Indian Hill Road, West Tisbury, MA. 02575
Summary of Case: This appeal concerned a variance from 780 CMR (*The State Building Code, Eighth Edition*) Mass Amendments to the IBC, 903.3.1 & Table 903.2. The appellant seeks a variance to eliminate the requirement for an automatic sprinkler installation.

List of Exhibits:

- Exhibit 1.** Application not dated, received on September 1, 2014.
Exhibit 2. 1 page letter dated September 30, 2014 from Chief Estrella to Building Inspector Tierney regarding agreement on NFPA-13D water supply.

On a **MOTION** by Jen Hoyt and **SECONDED** by Sandy MacLeod, it was a **TWO TO ONE** vote, Harry Smith was opposed that we **DENY** the variance because she feels that a sprinkler system is required.

7. **Case Number:** 14-1426
Appellant: Todd Padre
Address of Property: 22 Fairfield Drive, Wareham, MA. 02571
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*) Section 3404.2 & Appendix G., & 780 CMR Section 1612.2. The appellant is seeking relief from the code requirements because they are in a flood zone area designated as VE18 and are asking relief from code requirements under "Substantial Renovation".

On a **MOTION** by Sandy MacLeod and **SECONDED** by Jen Hoyt, it was a **TWO TO ONE** vote, Jen Hoyt was opposed, that we **GRANT** a variance to the appellant to rebuild his house on the existing foundation that was originally built to code and that we acknowledge FEMA's response that the insurance because it is in this zone could be very high. The appellant acknowledges that as well.

8. **Case Number:** 14-1427
Appellant: Lynn Benander for Northeast Biodiesel Company.
Address of Property: 179 Silvio Conte Drive, Greenfield, MA. 01302
Summary of Case: The appeal concerned 780 CMR (*The State Building Code, Eighth Edition*) Section 901.2 exception 2 & Section 113.0. The building commissioner issued a denial letter because the fire sprinkler system designed to protect the facility and contents has been designed as an alternative protection system not a prescriptive design system per 780 CMR, NFPA 13, 2007 & NFPA 30, therefore they need a variance from the board.

List of Exhibits:

- Exhibit 1.** Application not dated, received September 11, 2014
Exhibit 2. 1 page letter from Building Commissioner, Mark Snow stating no opposition Dated September 30, 2014.

On a **MOTION** by Jen Hoyt and **SECONDED** by Sandy MacLeod, it was **UNANIMOUSLY** voted that we **GRANT a variance to 780 CMR 901.2, exception 2 & 780 CMR 113.0**

8. The meeting adjourned at 1:15 p.m.